



Docket No.: 1293.1220

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Tae-Kyung Kim

Serial No. 09/883,492

Group Art Unit: 2697

Confirmation No. 4716

Filed: June 19, 2001

Examiner: J. Ortiz Criado

For: OPTICAL PICKUP DEVICE HAVING CHROMATIC ABERRATION CORRECTION LENS

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is responsive to the Office Action mailed September 8, 2003, having a shortened period for response set to expire on October 8, 2003. A petition for one month extension of time is submitted herewith, thereby extending the period for response to November 8, 2003. The following remarks are provided.

I. Provisional Election of Claims Pursuant to 37 CFR §1.142

Applicants provisionally elect **Species I, claims 1-3, 5-6, 11-15, 19-21 and 25-42** in response to the preliminary restriction requirement set forth in the Office Action.

II. Applicants Traverse the Requirement

Insofar as Species II-V are concerned, it is believed that claims 4, 7-10, 16-18 and 22-24 are so closely related to elected claims 1-3, 5-6, 11-15, 19-21 and 25-42 that they should remain in the same application. The elected claims 1-3, 5-6, 11-15, 19-21 and 25-42 are directed to an optical pickup device having a chromatic aberration correction lens comprising a first lens having a positive power and a second lens having a negative power, and claims 4, 7-10, 16-18 and 22-24 are drawn to an optical pickup device having a chromatic aberration correction lens comprising a first lens having a positive power and a second lens having a negative power. There have been no references cited to show any necessity for requiring restriction. It is believed, moreover, that evaluation of both sets of claims would not provide an undue burden upon the Examiner at this time in comparison with the additional expense and delay to Applicants in having to protect the additional subject matter recited by the Species II-V claims by

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